

### **REMARKS**

Claims 1-30 are pending in the application. In the Office action mailed December 12, 2003, claims 1-3 and 5-7 are rejected as being anticipated by U.S. Patent No. 6,029,205 to Alferness et al. (herein "Alferness"), and claim 4 is rejected as obvious over Alferness in view of U.S. Patent No. 5,848,234 to Chernick et al. (herein "Chernick"). Claims 8, 9, and 11-13 are rejected as being obvious over Alferness in view of Chernick, and further in view of U.S. Patent No. 6,151,610 to Senn et al. (herein "Senn"). Claims 10 and 14-30 are rejected as being obvious over Alferness in view of Chernick, and further in view of Senn, and further in view of Applicant's admitted prior art on page 11 (herein "APA").

Claims 1 and 2 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In response, Applicant amends claim 1 to more clearly recite the features of the present invention. In particular, the feature of "signaling, by the first thread, the second thread via an intraprocess signal" is added. The proposed amendment is supported on page 8, lines 3-10 of Applicant's specification. Since claim 2 depends from claim 1, claim 2 includes similar amendments of claim 1. Accordingly, Applicant requests that the Section 112, first paragraph, rejection be withdrawn.

#### **Alferness Does Not Disclose An Intraprocess Signal**

In regard to the rejections of independent claims 1 and 8, to expedite prosecution, Applicant amends claims 1 and 8 to further specify that the claimed "first thread of execution" and the claimed "second thread of execution" are in the same process. Alferness does not disclose *intraprocess* message passing, or message passing within the same process. Instead, Alferness only teaches *interprocess* message passing, or message passing between two or more different processes. In fact, the very title of Alferness is: "system architecture for improved message passing and process synchronization between concurrently executing processes." As is known by those skilled in the art, a "process" is an address space of the computer's memory for executing program modules, while a

"thread" is generally the point of execution of the program instructions (Applicant's specification, page 3, lines 19-21). Thus, while communication between threads can refer to communication between threads in a single process or communication between threads in different processes (Applicant's specification, page 4, lines 1-3), embodiments of Applicant's invention allow for intraprocess communication, which is not taught by the cited prior art.

In Alferness, messages are passed among multiple processes using a client process and a server process. Thus, the queuing system disclosed by Alferness is limited to interprocess communication. As a result, Alferness does not disclose the placing step and the signaling step as now recited in amended claims 1 and 8. Furthermore, the message passing disclosed in Alferness is precisely the same type of message passing that was described in the background section of the present application – namely message passing that relies on the operating system. Alferness specifically indicates that "critical enhancements are made to *operating system functions* to permit processes to pass large messages between them without incurring large performance penalties associated with multiple copy operations on the message data." See Alferness, Col. 3, lines 51-55 (emphasis added). As explained in the present application, message passing that relies on the operating system suffers from drawbacks that are not found in the present invention. Consequently, the teachings of Alferness are different from the intraprocess message passing that is claimed, and cannot anticipate or render obvious the pending claims.

#### **APA Does Not Disclose Using A Scripting Thread To Compile Each Section**

In regard to independent claims 14, 18, and 26, Applicant traverses the Office's assertion that the cited APA discloses the features of compiling a program having a plurality of sections and creating a scripting thread for compiling each section as recited in claim 14. The cited section of the APA only indicates that "[f]or example, in a conventional compiling operation, the networking section of the program could not start compiling until the application programming interfaces (APIs) required for networking were defined in the kernel section. This would mean that no compiling could be accomplished on the networking section until the kernel section was complete."

Applicant is unclear as to how this relates to (1) creating a scripting thread for compiling each section of a program as recited claim 14, (2) each section of the program is compiled under the direction of a scripting thread of the plurality as recited in claim 18, and (3) each scripting thread directs the compiling activity of a client computer of the plurality of client computers as recited in claim 26. In fact, nothing in the cited section references a scripting thread for compiling. As a result, the cited references, alone or combined, fail to disclose any of the recited elements of claims 14, 18, and 26. And if the Office maintains the Section 103 rejection, Applicant requests that the Office clarify by including page and line numbers as they relate to each element of the claims.


#### **Dependent Claims**

Claims 2-7, 9-13, 15-17, 19-25, and 27-30 depend from claims 1, 8, 14, 18, and 26, respectively. Applicant submits that the dependent claims are patentable for at least the same reasons as their respective base claims given the remarks and amendments above. Applicant reserves the right to present further arguments in the future with regard to these dependent claims in the event that the independent claims are deemed unpatentable. Accordingly, Applicant requests that the rejections of dependent claims 2-7, 9-13, 15-17, 19-25, and 27-30 be reconsidered and withdrawn.

**CONCLUSION**

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Grace Law, Reg. No. 48,872  
One of the Attorneys for Applicant  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

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